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No more waiting

If necessary, district will sue over school funding inequities

By Doug Batcheller

Ten years ago, our community led the fight for the local-option penny for schools because, as one of the poorest property tax bases per student in the state, we could no longer turn to property tax for our schools. Four years ago, when the Legislature capped the amount districts could receive from the penny to the then-statewide per-pupil average, the Legislature's rationale was that every student in Iowa was worth the same amount of dollars per student.

Proponents' argument, that retail-rich districts were receiving a windfall, was swallowed by legislators even though it was our property taxpayers who had invested to build the retail base. This cap was passed without provision for "holding harmless" the retail-rich districts.

In fact, not only was the modification revenue-neutral by taking from the rich to give to the poor, but the cap was not even adjusted annually, so retail-rich districts will actually pay even more than half of the pool. No similar "equity" modification was made in the foundation formula, or in any of the categorical funds.

As a result, one of the most racially and socio-economically impacted districts in the state, with scores of buildings over a hundred years old, will be sending a significant portion of our sales tax collections to the pool so that property-rich districts can replace or remodel their 40-year-old schools, buy buses, build football stadiums and/or lower their already reduced property tax rates.

If per-student sales tax equity was the right thing to do, why isn't per-student education funding equally correct? How can you stand for one and against the other? Our board immediately considered filing an equity lawsuit. At the advice and counsel of leaders in our fellow property-deprived districts, and our IASB representatives, we instead embarked on a campaign to seek a legislative solution. We convinced our school board association (representing virtually all of Iowa's schools) to make this issue one of its legislative priorities, which it has voted overwhelming to do for several years.

We educated our legislators, Chamber and fellow Iowa school board members on the many reasons why equitable per-pupil funding is the first priority for education in Iowa. We noted, and through our association supported, the work of independent legislative and executive branch committees that have unanimously concluded this was the right thing to do. We worked statewide to support legislative candidates who would commit to supporting this issue. We also received such a commitment from our new governor, and then many on our board worked hard to get him elected. We made scores of trips to Des Moines and to every legislative meeting in our area to lobby for this issue in a positive and professional way. We even conceded that property-rich districts could be held harmless so long as the property poor were raised to the statewide average (an accommodation not offered to us on the sales tax and the only reason why this is not a revenue-neutral proposal).

These efforts brought us to the point where we were advised this year by numerous legislators that, if the penny/property tax equity bill made it to the floor, it would pass by about 2 to 1 in the House, and in the Senate by 45-5. The governor, while he has failed to lead on this issue due to pressure from the state teachers' union, has promised he would sign the bill if it passed by such margins. All appeared on track until, on April 11, it was announced it was dead - it would not be permitted to make it on the House floor by House leadership, which we must presume would not have happened without a nod from the governor's office.

This is not a threat - it is a final effort to make sure there is no misunderstanding. We will not accept being told again to be grateful for some scraps and wait until next year - we will not. We will no longer permit our children and our taxpayers to be treated like the runts of the litter - they are not. Our citizens knowingly invest more taxes for education than almost any other citizens in the state - so they deserve to have at least an equal education for their children.

Instead, our current funding system gives sales tax dollars, PPEL dollars and, most ironically, at-risk support-levy dollars to the property-rich districts at the expense of the poorest children in the state. This system has no rational basis, unless racism and class warfare are rational bases.

If our legislative/executive branch efforts have failed, we will be marshalling the property-poor districts in this state to seek a solution from the third branch. We will also be telling the constituents in these districts, in the most public manner possible, why the legislative/executive solution failed.

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